

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

KEVIN L. QUARLES,	:	
Plaintiff,	:	
	:	
v.	:	No. 23-cv-1601
	:	
DOMINIC J. BONTEMPO and	:	
JASON GOLDBERG,	:	
Defendants.	:	

ORDER

AND NOW, this 9th day of February, 2024, for the reasons set forth in the Opinion issued this date and in the Order dated November 28, 2023, ECF No. 33, **IT IS ORDERED THAT:**

1. Defendant Goldberg's Motion to Dismiss, ECF No. 20, is **Granted in part and Denied in part** as follows:

A. The request to dismiss the Eighth Amendment deliberate indifference claim is denied.

B. The request to dismiss the Fourteenth Amendment equal protection claim against Goldberg is granted. The Fourteenth Amendment claim is **dismissed with prejudice** as to Defendant Goldberg.

2. The Motion for Reconsideration, ECF No. 38, is **DENIED**.

3. **Within fourteen (14) days of the date of this Order**, Defendant Goldberg shall file an answer to the Complaint. *See* Fed. R. Civ. P. 12(a)(4).

BY THE COURT:

/s/ Joseph F. Leeson, Jr.

JOSEPH F. LEESON, JR.

United States District Judge